

2014V001777/MP/sc
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,	:	Hon. Stanley R. Chesler, U.S.D.J.
	:	
Plaintiff,	:	Civil Action No. 14-4378
	:	
v.	:	DEFAULT JUDGMENT AND
	:	<u>FINAL ORDER OF FORFEITURE</u>
ONE TUFFBOOM SET FOR	:	
COLANDER BARRIER,	:	
	:	
Defendant <i>in Rem</i> .	:	

WHEREAS, on or about July 11, 2014, the United States commenced a civil action for the forfeiture of One Tuffboom Set for Colander Barrier (the "Defendant Property") by the filing of a Verified Complaint for Forfeiture in *Rem* (the "Verified Complaint"). The Verified Complaint alleges that the Defendant Property is subject to forfeiture to the United States pursuant to the provisions of 22 U.S.C. § 401 and 19 U.S.C. § 1595a(d), which provides that any merchandise exported or sent from the United States, or attempted to be exported or sent from the United States, contrary to law is subject to forfeiture to the United States (*see* Verified Complaint ¶ 7-26);

WHEREAS, on or about July 18, 2014, the United States sent copies of a Notice of Complaint for Forfeiture and the Verified Complaint by certified mail, return receipt requested, to Paul Meeks, President of Worthington Products, Inc., 3405 Kuemerle Avenue N.E. Canton, Ohio, 44705 (see Declaration of Marion Percell ("Percell Decl.") ¶ 3 & Exhibit ("Ex.") A, filed herewith);

WHEREAS, on or about July 18, 2014, the United States sent copies of a Notice of Complaint for Forfeiture and the Verified Complaint by Federal Express to Uniway General Trading, LLC (see Percell Decl. ¶ 4 & Ex. B);

WHEREAS, the Notice of Complaint for Forfeiture stated that to contest the forfeiture, a claim had to be filed within 35 days after the date the notice was sent (see Percell Decl. ¶ ¶ 3-4);

WHEREAS, on or about July 21, 2014, Worthington Products, Inc. received copies of the Notice of Complaint for Forfeiture and the Verified Complaint (see Percell Decl. ¶ 5 & Ex. C);

WHEREAS, on or about July 20, 2014, Uniway General Trading, LLC received copies of the Notice of Complaint for Forfeiture and the Verified Complaint (see Percell Decl. ¶ 6 & Ex. D);

WHEREAS, the United States posted notice of this forfeiture action on an official government internet site, <http://www.forfeiture.gov>, beginning on July 19, 2014 and running for thirty consecutive days, through August 17, 2014, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty

or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure (*see* Percell Delc. ¶ 7 & Ex. E);

WHEREAS, no claims or answers were filed or made in this action, no other parties have appeared to contest the action to date, and the statutory time periods in which to do so have expired;

IT IS HEREBY, ORDERED, ADJUDGED, AND DECREED:

THAT a Default Judgment is granted and is hereby entered against the Defendant Property, One Tuffboom Set for Colander Barrier;


THAT all right, title and interest in the Defendant Property is hereby forfeited to the United States of America for disposition according to the law;

THAT a Final Order of Forfeiture as to the Defendant Property is hereby entered accordingly;

THAT any income derived as a result of the United States Custom and Border Protection's management of any property forfeited herein, after the payment of costs and expenses incurred in connection with the forfeiture and disposition of the forfeited property, shall be deposited forthwith by the United States Custom and Border Protection into the Department of the Treasury Asset Forfeiture Fund, in accordance with all applicable laws.

The Clerk is hereby directed to send copies of this Order to all
counsel of record.

ORDERED this 3rd day of March, 2014.


HONORABLE STANLEY R. CHESLER
United States District Judge